

## REMARKS

Applicant is in receipt of the Office Action mailed May 21, 2004. Claims 1, 9, and 17 have been amended. Claims 2, 10, and 18 have been canceled. Claims 1, 3-9, 11-17, and 19-24 remain pending in the application.

The Office Action requested amendments to the Specification to refer to any related applications and to correct the Abstract of the Disclosure. Applicant has submitted the requested amendments in this Response.

### Double Patenting Rejections

The Office Action rejected claims 1-24 under the doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Pat. No. 6,567,974 in view of Aridor et al. (U.S. Pat. No. 6,618,737, hereinafter "Aridor"). Applicant respectfully traverses the rejections in light of the following remarks.

Applicant has amended the independent claims 1, 9, and 17 to include limitations previously set forth in claims 2, 10, and 18. Applicant respectfully submits that Applicant's claims, as amended, are patentably distinct from the claims of U.S. Pat. No. 6,567,974 in view of Aridor. In particular, the claims of U.S. Pat. No. 6,567,974 in view of Aridor do not disclose or suggest Applicant's limitation "initializing each separate copy of the static fields once, wherein the initializing includes: embedding in a class constructor one or more instructions for performing the initializing each separate copy of the static fields; and executing the class constructor once for each separate copy of the static fields." Therefore, Applicant respectfully requests withdrawal of the obviousness-type double patenting rejections of claims 1, 3-9, 11-17, and 19-24.

### Section 103(a) Rejections

The Office Action rejected claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over Aridor et al. (U.S. Pat. No. 6,618,737, hereinafter "Aridor"). Applicant respectfully traverses the rejections in light of the following remarks.

Aridor discloses a technique of field-level caching in a distributed object-oriented system. Individual fields of objects are identified for caching using a speculative approach. Methods for accessing the cached fields are executed locally. Incorrect speculation or alteration of one of the cached fields may be remedied with invalidation of the corresponding cached fields in objects throughout the system.

Aridor does not teach or suggest the limitation “removing one or more static fields from the class.” Although Aridor discloses the copying of static fields from a class (i.e., for purposes of caching the static fields), Aridor does not teach or suggest that those static fields are removed (i.e., extracted) from the original class in the process of copying them. To the contrary, Aridor states that “performance of the caching is transparent to the application” (col. 6, lines 20-21). In other words, the application (i.e., the class) itself remains unchanged by the caching technique disclosed by Aridor. Aridor therefore teaches away from Applicant’s limitation “removing one or more static fields from the class.”

Aridor does not teach or suggest the limitation “initializing each separate copy of the static fields once, wherein the initializing includes: embedding in a class constructor one or more instructions for performing the initializing each separate copy of the static fields; and executing the class constructor once for each separate copy of the static fields.” The Office Action contended that the quoted limitation is taught or suggested by Aridor at col. 12, line 50 to col. 13, line 65. Applicant respectfully disagrees. At the cited location, Aridor discloses sample pseudocode for locally executing a “getstatic” operation on a static field. At the cited location, Aridor also discloses a technique for invalidation of local replicas of a static field. After the invalidation, local getstatic operations on the static field are redirected to a master node containing a master class object. Applicant respectfully submits that Aridor does not teach or suggest “embedding [one or more instructions] in a class constructor.” Furthermore, Aridor does not teach or suggest that the one or more instructions embedded in the class constructor are “for performing the initializing each separate copy of the static fields.” Applicant also

respectfully submits that Aridor does not teach or suggest “executing the class constructor [with the embedded one or more instructions] once for each separate copy of the static fields.” Aridor does disclose that all the separate copies of the static field may be invalidated (e.g., col. 12, line 60 to col. 13, line 65), but there is no teaching or suggestion in Aridor that a class constructor is involved in that process.

For at least the reasons discussed above, Applicant submits that independent claims 1, 9, and 17 are in condition for allowance. Applicant’s remaining claims provide additional limitations to the claim limitations discussed above. Therefore, for at least the reasons discussed above, Applicant submits that Aridor does not teach or suggest Applicant’s claimed invention as recited in claims 1, 3-9, 11-17, and 19-24. Applicant respectfully requests withdrawal of the Section 103(a) rejections of claims 1, 3-9, 11-17, and 19-24.

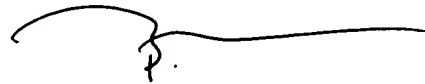
## CONCLUSION

Applicant asserts that the pending claims are in condition for allowance. Accordingly, the present response is believed to be a complete response to the issues raised in the Office Action and full reconsideration and favorable action is respectfully requested. If the Examiner has any questions, comments, or suggestions, the undersigned attorney earnestly requests a telephone conference. If any petitions for extensions of time are required or fees are due, said petitions for extensions of time are hereby requested and the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C., Deposit Account No. 50-1505/5181-76000/BNK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



B. Noël Kivlin  
Attorney for Applicant  
Reg. No. 33,929

Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
Phone: (512) 853-8800  
Fax: (512) 853-8801  
Date: August 23, 2004